

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, JUNE 8, 1993
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor Golding at 10:03 a.m.
Mayor Golding adjourned the meeting at 12:17 a.m.

ATTENDANCE DURING THE MEETING:

- (M) Mayor Golding-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present
- (7) Council Member McCarty-present
- (8) Council Member Vargas-present
- Clerk-Fishkin (so)

FILE LOCATION: MINUTES

ITEM-300: ROLL CALL

Clerk Fishkin called the roll:

- (M) Mayor Golding-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Stevens-present
- (5) Council Member Behr-present
- (6) Council Member Stallings-present

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- (7) Council Member McCarty-present
- (8) Council Member Vargas-present

PUBLIC COMMENT:

ITEM-PC-2:

Don Stillwell submitted videos regarding "America in Peril", "More" About Money", "Focus on Money", and "Federal Reserve."

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A015-046.)

COUNCIL COMMENT:

ITEM-CC-1:

Council Member Hartley encouraged Council to complete discussions on the budget on Thursday because he will be out of town on Friday.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A054-068.)

ITEM-330: (O-93-186) INTRODUCED AND ADOPTED AS ORDINANCE
O-17930 (New Series)

Introduction and adoption of an Ordinance amending Ordinance O-17861 (New Series), as amended, entitled "An Ordinance Amending the Adopted Annual Budget for the Fiscal Year 1992-93 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. 00-17861.

NOTE: See Item 201 on Monday, June 7, 1993 for the first public hearing.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A070-072.)

MOTION BY VARGAS TO INTRODUCE, DISPENSE WITH THE READING AND ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-nay, Vargas-yea, Mayor Golding-yea.

ITEM-331:

Appeal of Richard Smith, et al, from the decision of the Planning Commission in granting Coastal Development Permit CDP-92-0316 and Sensitive Coastal Resource Permit SCR-92-0316 to demolish an existing single-family residence, and to construct a new, 7,632-square-foot, single-family residence with attached garages, new fencing and landscaping, and pool and deck area. The project site is located at 6246 Camino de la Costa and is further described as Lot 2, Block 1, La Jolla Hermosa, Map-1810, in the R1-8000 Zone within the La Jolla Community Plan area. (CDP/SCR-92-0316. District-1.)

Subitem-A: (R-93-2064) ADOPTED AS RESOLUTION R-282111

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration DEP-92-0316 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-93-2065) DENIED APPEAL, GRANTED PERMIT, ADOPTED AS RESOLUTION R-282112

Adoption of a Resolution granting or denying the appeal and granting or denying the permits, with appropriate findings to support Council action.

FILE LOCATION: PERM - CDP/SCR-92-0316

COUNCIL ACTION: (Tape location: A090-395.)

Hearing began at 10:11 a.m. and halted at 10:34 a.m.

Testimony in favor by John James Snody and Richard Smith.

Testimony in opposition by John Beery.

Motion by Wolfsheimer to deny the appeal, and approve the project with the conditions imposed by the Planning Commission as well as the conditions imposed by the La Jolla Community Planning Association. To preserve the view corridor, limit vegetation to five feet along Via del Norte. Second by Roberts. No vote.

MOTION BY McCARTY TO DENY THE APPEAL, APPROVE THE PERMITS AND CERTIFY THE NEGATIVE DECLARATION. THE PLANNING COMMISSION'S RECOMMENDATIONS ARE INCLUDED IN THIS APPROVAL, HOWEVER, THE LA JOLLA COMMUNITY PLANNING ASSOCIATION'S RECOMMENDATIONS ARE NOT INCLUDED BECAUSE OF THE INABILITY TO ENFORCE THOSE CONDITIONS. Second by Stallings. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-332: CLOSED HEARING

A preliminary hearing to allow public testimony relating to establishing the annual assessments for the Carmel Valley Landscape Maintenance District. Council will take action at the subsequent hearing scheduled for July 13, 1993.

(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The second public hearing establishes the annual assessments for the Carmel Valley Landscape Maintenance District. The district provides maintenance for approximately 472 acres of open space in addition to medians, streetscapes, and slopes within the district areas.

The Fiscal Year 1994 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$667,052
Personnel	103,478
Utilities	198,500
Incidentals	150,639*
Total Expenses	\$1,119,669
Reserve	180,805
Total	\$1,300,474
Less Carry-over & Interest	194,700
Less City Contribution	28,160
Assessed to District	\$1,077,614

* Includes Assessment District Management Fee of \$66,992.

The assessments per dwelling unit for the various (one through seven) zones within the district for FY '94 and the previous fiscal year are tabulated below:

Zone	1	2	3	4	5	6	7	
FY '94:	\$14.52	307.22	297.96	36.33	76.31	114.50	34.00	per dwelling unit
FY '93:	\$14.52	238.42	299.54	28.24	110.62	114.54	29.27	per dwelling unit
% Increase	-	28.8	-	28.6	-	-	16.2	

Increases in Zones 2, 4, and 7 are due to a total of 110,000 square foot additional landscaping to be maintained by the district in FY '94 in these zones.

FILE LOCATION: STRT M-294

COUNCIL ACTION: (Tape location: A395-B090.)

Hearing began at 10:34 a.m. and halted at 10:52 a.m.

Testimony in opposition by Linda Baron, Allen Shaw and Mary Noorigian.

MOTION BY WOLFSHEIMER TO CLOSE THE HEARING, AND DIRECT THE CITY MANAGER TO TABULATE THE PERCENTAGE OF PROPERTY OWNERS SUPPORTING AND OPPOSING EACH DISTRICT. RETURN WITH THIS INFORMATION FOR THE SUBSEQUENT HEARING ON TUESDAY, JULY 13, 1993. DIRECT THE CITY MANAGER TO MEET WITH THE BALDWIN DEVELOPMENT COMPANY TO REVIEW EROSION PROBLEMS AND TO RESEARCH WHETHER OR NOT THERE WAS AN AGREEMENT WITH BALDWIN FOR EROSION PROBLEMS CAUSED BY GRADING. LOOK AT ENTITLEMENTS, WHAT BALDWIN'S OBLIGATIONS ARE AND WHEN THEY HAVE TO BEGIN PLANTING AND MAINTAINING VEGETATION. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-333: CLOSED HEARING

A preliminary hearing to allow public testimony relating to establishing the annual assessments for the Downtown Maintenance District. Council will take action at the subsequent hearing scheduled for July 13, 1993.

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(See City Manager Report CMR-93-135. Centre City
Community Area. Districts-2, 3 and 8.)

FILE LOCATION: STRT M-295

COUNCIL ACTION: (Tape location: A440-457.)

Hearing began at 10:36 a.m. and halted at 10:38 a.m.

MOTION BY McCARTY TO CLOSE THE HEARING. Second by Vargas.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-334: CLOSED HEARING

A preliminary hearing to allow public testimony
relating to establishing the annual assessments for the
Mid-City Landscape and Lighting Maintenance District.
Council will take action at the subsequent hearing
scheduled for July 13, 1993.

(Mid-City and Greater North Park Community Areas.
Districts-2 and 3.)

CITY MANAGER SUPPORTING INFORMATION: The second public hearing
establishes the annual assessments for the ten subdistricts in
the Mid-City Landscape and Lighting Maintenance District.
Subarea 4 is proposed to be enlarged through annexation. A new
subarea (subarea 10) is proposed to be added to the district
through annexation.

The Fiscal Year 1994 proposed maintenance costs for the district
are as follows:

Contractual Maintenance	\$ 75,875
Personnel	24,909
Utilities	9,603
Incidentals	32,670*
Total Expenses	\$143,057
Reserve	18,554
Total	\$161,611
Less Carry-over & Interest	38,050
Less City Contribution	2,513
Assessed to District	\$121,048

* Includes Assessment District Management Fee of \$7,368.

The assessments per frontage foot for each subdistrict is tabulated below:

Zone	1	2	3	4	5	6	7	8	9	10
FY '94:										
\$9.34	6.82	18.78	4.81	5.25	22.63	10.53	6.78	2.32	4.59	
FY '93:										
\$8.43	6.46	17.92	3.93	4.80	21.52	8.82	2.36	0.95	-	
% Incr.										
10.8	5.5	4.8	22.4	9.3	5.2	19.3	18.6	14.4		

The changes in assessments are due to, in subdistrict: 1) Low carry-over due to cost of replacing trees; 4) Enlarged service area (annexation); 5) Tree trimming, increase in water usage; 7,8,9) First full year of maintenance.

FILE LOCATION: STRT M-296

COUNCIL ACTION: (Tape location: B096-146.)

Hearing began at 10:54 a.m. and halted at 10:58 a.m.

Testimony in opposition by Bea Stafford and Eva H. Cailin.

MOTION BY McCARTY TO CLOSE THE HEARING. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-335: RETURNED TO THE CITY MANAGER

A preliminary hearing to allow public testimony relating to establishing the annual assessments for the Miramar Ranch North Landscape Maintenance District. Council will take action at the subsequent hearing scheduled for July 13, 1993.
(Miramar Ranch North Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The second public hearing establishes the annual assessments for the Miramar Ranch North Landscape Maintenance District. The district was established in 1987. The landscaping improvements to be provided by the developer will benefit areas that are outside the boundaries of the district as initially established. The adjoining benefitting areas are proposed to be added to the district through

annexation. The district provides maintenance of certain slopes, landscaped medians and streetscapes within the district boundaries. The developer maintains certain other areas until they are turned over to the district. The Fiscal Year 1994 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$ 50,000
Personnel	51,904
Utilities	11,000
Incidentals	57,291*
Total Expenses	\$170,195
Reserve	12,229
Total	\$182,424
Less Carry-over & Interest	3,263
Less City Contribution	-
Assessed to District	\$179,161

*Includes Assessment District Management Fee of \$10,387.

Fiscal Year 1994 is the first year assessments are being levied for this district. The assessment amount per dwelling unit is \$13.03.

FILE LOCATION: STRT M-297

COUNCIL ACTION: (Tape location: A067-070.)

ITEM-336: CLOSED HEARING

A preliminary hearing to allow public testimony relating to establishing the annual assessments for the Scripps-Miramar Ranch Landscape Maintenance District. Council will take action at the subsequent hearing scheduled for July 13, 1993.
(Scripps-Miramar Ranch Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The second public hearing establishes the annual assessments for the Scripps-Miramar Ranch Landscape Maintenance District. The district provides maintenance for landscaped medians and open space within the district. The landscaping improvements maintained by the district will benefit certain areas that are outside the current boundaries of the district. These adjoining benefitting areas are proposed to be added to the district through annexation. The Fiscal Year 1994 proposed maintenance costs for the district are as follows:

Contractual Maintenance	\$213,000
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Personnel	51,904
Utilities	46,000
Incidentals	50,459*
Total Expenses	\$361,363
Reserve	31,145
Total	\$392,508
Less Carry-over & Interest	71,900
Less City Contribution	11,412
Assessed to District	\$309,196

* Includes Assessment District Management Fee of \$22,055.

The proposed unit assessment for FY '94 is \$53 prior to the proposed annexation, and \$42.06 with the annexation. The assessment amount for FY '93 was \$41.20. The increase is due to special projects requested by the community such as additional shrubs, bushes and tree planting and reed removal at Hendrix Pond.

FILE LOCATION: STRT M-299

COUNCIL ACTION: (Tape location: B090-095.)

Hearing began at 10:53 a.m. and halted at 10:54 a.m.

MOTION BY McCARTY TO CLOSE THE HEARING. Second by Behr.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-337: CLOSED HEARING

A preliminary hearing to allow public testimony relating to establishing the annual assessments for the San Diego Street Light Maintenance District No. 1. Council will take action at the subsequent hearing scheduled for July 13, 1993.

CITY MANAGER SUPPORTING INFORMATION: The second public hearing establishes the annual assessments for the San Diego Street Lighting Maintenance District No. 1. The district provides street light energy and maintenance for areas with lighting levels above standard City wide "safety" lighting. As part of this action, it is proposed to annex Golden Hill (19th Street to 33rd Street, "A" Street to "F" Street, and Fern Street from "A" Street to Juniper Street) to District No. 1. The City Council allocated \$1.1 million TransNet (Prop. A) funds for infrastructure improvements in the Golden Hill community. A

series of community meetings were held and street lighting is the community priority. All property owners in the area were notified about the establishment of a lighting maintenance district. The installation of the lights will occur in Fiscal Year 1994. The Fiscal Year 1994 proposed maintenance costs for the district are as follows:

Electrical Energy	\$ 200,000
Maintenance - Operation	300,000
Maintenance - Major Repair & Paint	300,000
Centre City Maintenance Program	11,500
Engineering & Miscellaneous	135,750
Total Expenses	\$ 947,250
Total Fund Balance	501,468
Total Expenses & Fund Balance	\$1,448,718
Less Carry-over & Interest	761,577
Less City Contribution & Gas Tax	322,142
Assessed to District	\$ 365,000

The amount assessed to the district for Fiscal Year 1994 is \$365,000 compared to \$324,000 for FY '93. The increase is due to the annexation of more areas to the district.

FILE LOCATION: STRT M-298

COUNCIL ACTION: (Tape location: B146-261.)

Hearing began at 10:58 a.m. and halted at 11:06 a.m.

Testimony in opposition by Helen Trevey, Gail McLeod and Theo B. Mucho.

MOTION BY HARTLEY TO CLOSE THE HEARING. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Vargas-yea, Mayor Golding-yea.

ITEM-338: CLOSED HEARING, CONTINUED SUBSEQUENT HEARING TO
AUGUST 3, 1993

A preliminary hearing to allow public testimony relating to establishing the annual assessments for the Washington Street Landscape Maintenance District. Council will take action at the subsequent hearing scheduled for July 13, 1993.
(Mission Hills Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: It is proposed to augment Washington Street by landscaping the existing center islands between a point approximately 380 feet west of the University Avenue overpass and Hawk Street. This landscaping addition is considered the long awaited first step in beautifying the entrance corridor into the Mission Hills community and will consist predominantly of various types of blossoming trees, shrubs and ground cover to create a more pleasing and attractive entry. These improvements will be financed by the City. However, to assure the continuing maintenance of this proposed landscaping, this enhancement project will depend on the establishment of a landscape maintenance district. Those property owners within this district pay for the annual maintenance on the basis of benefit. A property that benefits is one that exists adjacent to and/or in the proximity of the improvements to be maintained.

This also includes those parcels that conveniently use Washington Street to be reached or conveniently egress the area or use Washington Street for shopping. The present action is for the establishment of the district only. After construction, the landscaping improvements will be maintained by the contractor for approximately one year. Consequently, no assessments will be levied at this time. The maintenance cost for the proposed landscaping improvements will be levied at this time. The maintenance cost for the proposed landscaping improvements for a twelve month period is estimated at approximately \$32,000. Early estimates indicate the assessment to be approximately \$10 per living unit. A closer estimate will be submitted to the Council in a subsequent report prior to the public hearing, after more information on the number of properties in the proposed district becomes available. The estimated \$32,000 assessment to maintain these improvements will not be assessed to the district until Fiscal Year 1995.

FILE LOCATION: STRT M-300

COUNCIL ACTION: (Tape location: B261-D132.)

Hearing began at 11:07 a.m. and halted at 12:17 p.m.

Council Member McCarty left the meeting at 11:20 a.m.

Testimony in favor by Mike McLaughlin, Arlene Cichan, Kirby Pray, Russell Elrod, Greg Jinokio, William Smith and Tom Sandber.

Testimony in opposition by Dr. R. A. Bowling, John Leib, Jean Carp, A. Blench, W. F. White, Sara Larkins, Thomas Craig, Leo Jacobson, Arlene Van de Wetering, Kathy Hanoian,

Otto Emme, Barbara March, Dorothy Chaffin, Vera Medina and Jack Hacker.

MOTION BY ROBERTS TO CLOSE THE HEARING, AND CONTINUE THE SUBSEQUENT HEARING TO AUGUST 3, 1993 TO ALLOW DISTRICT 2 TO MEET WITH THE CITY MANAGER TO POLL RESIDENTS IN THE AREA AND COME BACK WITH A RECOMMENDATION TO COUNCIL. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-not present, Vargas-yea, Mayor Golding-yea.

ADJOURNMENT:

The meeting was adjourned by Mayor Golding at 12:17 p.m.

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: D133).